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09/139,023	08/24/1998	KAZUNARI TAKI	101412	4835

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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 05/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

*man*

# Office Action Summary

Application No.

09/139,023

Applicant(s)

TAKI ET AL.

Examiner

Joseph R. Pokrzywa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 16-20 and 22 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21 is/are allowed.
- 6) ☒ Claim(s) 1-15 and 23-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment was received on 2/19/03, and has been entered and made of record. Currently, **claims 1-29** are pending, with **claims 16-20, and 22** withdrawn from consideration as being drawn to a non-elected invention.

### *Response to Arguments*

2. Applicant's arguments, regarding the rejection of claims 23 and 24, being unpatentable over Patterson, Jr. *et al.* (U.S. Patent Number 5,793,301), see pages 6 and 7, filed 2/19/03, have been fully considered and are persuasive. The rejection of claims 23 and 24 has been withdrawn with respect to that reference.

3. Applicant's arguments with respect to **claims 1-15, and 23-29** have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. **Claims 1, 4-8, 10-11, and 23-29** are rejected under 35 U.S.C. 102(e) as being anticipated by Rowe *et al.* (U.S. Patent Number 5,737,599).

Regarding **claim 1**, Rowe discloses a document information communicating system comprising a sending apparatus (computer device 31) for sending document information which is divided into a plurality of pages (column 3, lines 42 through 48, column 10, lines 16 through 45), and a receiving apparatus (see Fig. 1) for receiving the document information and displaying the received document information (column 9, lines 45 through 59, and column 10, lines 16 through 45), the sending apparatus comprising a sending device for repeatedly sending the plurality of pages of the document information (see Fig. 5, column 4, lines 6 through 67), the receiving apparatus comprising a referring device for referring to page information corresponding to the

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document information (column 6, lines 7 through 46), a selecting device, when the referring device recognizes that at least one page of the document information should be received, for selecting the page from the plurality of pages of the document information (column 6, line 7 through column 7, line 45), a receiving device for receiving the selected page of the document information (column 16, lines 12 through 60), a display device having a display panel which allows a whole of one page of the document information to be displayed thereon at a time (see Figs. 2a and 2b), and a display control device for displaying the document information received by the receiving device on the display panel (column 16, line 61 through column 17, line 50).

Regarding **claim 4**, Rowe discloses the system discussed above in claim 1, and further teaches that the sending apparatus comprises a dividing device for dividing each page of the document information into a plurality of blocks (column 3, lines 42 through 48, column 10, lines 16 through 45), a sending device for sending the plurality of blocks (column 14, line 61 through column 15, line 6), and a sending control device for controlling the sending device so as to repeatedly send a different block included in a specific page, changing the specific page each time the one block is sent (column 26, lines 37 through 44).

Regarding **claim 5**, Rowe discloses the system discussed above in claim 1, and further teaches that the sending apparatus comprises a dividing device for dividing each page of the document information into a plurality of blocks (column 3, lines 42 through 48, column 10, lines 16 through 45), and a sending device for sending the plurality of blocks in a discontinuous order (column 14, line 61 through column 15, line 6).

Regarding **claim 6**, Rowe discloses the system discussed above in claim 1, and further teaches that if the document information is formed by a plurality of characters (see Figs. 2a and

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2b, column 10, line 66 through column 11, line 30), the sending apparatus sends the plurality of characters in discontinuous order (column 14, line 61 through column 15, line 6, and column 16, line 61 through column 17, line 55).

Regarding **claim 7**, Rowe discloses the system discussed above in claim 1, and further teaches that the display control device comprises a memory device having a minimum memory capacity enough to store one page of the document information and additional information necessary for displaying the document information display panel (column 9, line 31 through column 10, line 16).

Regarding **claim 8**, Rowe discloses the system discussed above in claim 1, and further teaches that the size of the display panel corresponds to a size of one page of the document information (see abstract, and Figs. 2a and 2b).

Regarding **claim 10**, Rowe discloses the system discussed above in claim 1, and further teaches that the receiving apparatus comprises a converting device for converting the document information formed by a plurality of characters into the document information formed by bitmap data (column 11, line 2 through column 12, line 36).

Regarding **claim 11**, Rowe discloses the system discussed above in claim 1, and further teaches that the receiving apparatus comprises a power control device for powering down the receiving device after reception of the document information (column 27, lines 56 through 63), and periodically powering up the receiving device to check whether or not the document information sent from the sending apparatus is changed (column 27, lines 3 through 63).

Regarding **claim 23**, Rowe discloses a document information sending apparatus (computer 31 and system 10, column 10, lines 16 through 45) for sending document information

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which is divided into a plurality of pages (column 3, lines 42-48, column 10, lines 16 through 45), the document information sending apparatus comprising a dividing device for dividing each page of the document information into a plurality of blocks (see Fig. 5), and a sending device for sending the plurality of blocks in discontinuous order (column 14, line 61 through column 15, line 6, and column 16, line 61 through column 17, line 55).

Regarding *claim 24*, Rowe discloses a document information sending apparatus (computer 31 and system 10, column 10, lines 16 through 45) for sending document information which is divided into a plurality of pages (column 3, lines 42-48, column 10, lines 16 through 45), the document information sending apparatus comprising a dividing device for dividing each page of the document information into a plurality of blocks (see Fig. 5), a sending device for sending the plurality of blocks (column 14, line 61 through column 15, line 6), and a sending control device for controlling the sending device so as to repeatedly send a different block included in a specific page, changing the specific page each time one block is sent (column 26, lines 37 through 44).

Regarding *claim 25*, Rowe discloses a document information receiving apparatus (see Fig. 1) for receiving document information which is divided into a plurality of pages and displaying the received document information (see abstract, and column 3, lines 42-48, column 10, lines 16 through 45), the document information receiving apparatus comprising a referring device for referring to page information corresponding to the document information (column 6, lines 7 through 46), a receiving device, when the referring device recognizes that one page of the document information should be received, for receiving the one page of the document information (column 16, lines 12 through 60), a display device having a display panel, a size of

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the display panel corresponding to a size of one page of the document information (see Figs. 2a and 2b), and a display control device for displaying the received one page of the document information on the display panel (column 16, line 61 through column 17, line 50).

Regarding *claim 26*, Rowe discloses the apparatus discussed above in claim 25, and further teaches that the display control device comprises a memory device having a memory capacity enough to store one page of the document information and additional information necessary for displaying the one page of the document information on the display panel (column 9, line 31 through column 10, line 16).

Regarding *claim 27*, Rowe discloses the apparatus discussed above in claim 25, and further teaches of a power control device for powering down the receiving device after reception of the document information (column 27, lines 56 through 63), and periodically powering up the receiving device to check whether or not the document information sent from the sending apparatus is changed (column 27, lines 3 through 63).

Regarding *claim 28*, Rowe discloses the system discussed above in claim 1, and further teaches that the sending apparatus further comprises a dividing device for dividing each page of the document information into a plurality of blocks (see Fig. 5), and a sending device for sending the plurality of blocks, wherein each block includes a header block and a document information area block (column 15, lines 55 through 65), and the referring device refers to page information included in the header block, and recognizes whether the page of the document information should be received (column 21, lines 27 through column 22, line 9).

Regarding *claim 29*, Rowe discloses the apparatus discussed above in claim 25, and further teaches that each block of the document information divided into a plurality of pages



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includes a header block and a document information area block (column 15, lines 55 through 65), and the referring device refers to page information included in the header block, and recognizes whether the page of the document information should be received (column 21, lines 27 through column 22, line 9).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 2 and 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe *et al.* (U.S. Patent Number 5,737,599).

Regarding **claim 2**, Rowe discloses the system discussed above in claim 1, and further teaches that the sending apparatus sends the document information formed by a plurality of characters (see abstract, and column 11, lines 2 through 65), and the sending apparatus comprises a dividing device for dividing each page of the document information into a plurality of blocks (column 3, lines 42-48, column 10, lines 16 through 45), and a sending device for sending the plurality of blocks (column 14, line 61 through column 15, line 6). However, Rowe is unclear if the number of the characters included in each block being not more than the number of the characters included in one line of each page of the document information. But Rowe does teach that the computer determines the size of each object, and each object can correspond to a number of words, and a certain location of coordinates (column 11, lines 2 through 19, column 12, lines

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21 through 25, and column 24, lines 57 through 67). Because of this, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to interpret the size or length of the object as the number of the characters included in each block being not more than the number of the characters included in one line of each page of the document information. By following this practice, Rowe's system would create a more efficient system, as users would be allowed to select and download certain lines of the document.

Regarding *claim 3*, Rowe discloses the system discussed above in claim 1, and further teaches that the sending apparatus sends the document information formed by bitmap data (see abstract, and column 11, lines 2 through 65), and the sending apparatus comprises a dividing device for dividing each page of the document information into a plurality of blocks (column 3, lines 42-48, column 10, lines 16 through 45), and a sending device for sending the plurality of blocks (column 14, line 61 through column 15, line 6). However, Rowe is unclear if the amount of the bitmap data included in each block being integral number times as much as the amount of the bitmap data included in one line element of each page of the document information. But Rowe does teach that the computer determines the size of each object, and each object can correspond to a number of words, and a certain location of coordinates (column 11, lines 2 through 19, column 12, lines 21 through 25, and column 24, lines 57 through 67). Because of this, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to interpret the size or length of the object as the amount of the bitmap data included in each block being integral number times as much as the amount of the bitmap data included in one line element of each page of the document information the amount of the bitmap data included in each block being integral number times as much as the amount of the bitmap data

included in one line element of each page of the document information. By following this practice, Rowe's system would create a more efficient system, as users would be allowed to select and download certain lines of the document.

8. **Claims 9, and 12-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe *et al.* (U.S. Patent Number 5,737,599) in view of Patterson, Jr. *et al.* (U.S. Patent Number 5,793,301, cited in the Office action dated 8/16/02).

Regarding **claim 9**, Rowe discloses the system discussed above in claim 1, and further teaches that a reception control device for controlling the receiving device so as to repeatedly receive the selected page of the document information (column 7, lines 24 through 45, and column 13, lines 40 through 65), but fails to particularly teach if the receiving apparatus comprises an error determining device for determining whether or not the document information received by the receiving device includes an error, and subsequently, to repeatedly receive the selected page of the document information, if the error determining device determines that the document information received by the receiving device includes an error. Patterson discloses a document information communicating system (see Fig. 13) comprising a sending apparatus (first device) for sending document information, and a receiving apparatus (second device) for receiving the document information and displaying the received document information (see abstract). Patterson further teaches that the receiving apparatus comprises an error determining device for determining whether or not the document information received by the receiving device includes an error (column 29, lines 5 through 52), and a reception control device for controlling the receiving device so as to repeatedly receive the selected page of the document

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information, if the error determining device determines that the document information received by the receiving device includes an error (column 29, lines 5 through 52). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Patterson's teachings in the system of Rowe. Rowe's system would easily have included Patterson's teachings, as the systems share cumulative features, being additive in nature.

Regarding *claims 12 and 13*, Rowe discloses the system discussed above in claim 1, but fails to specifically teach if the sending apparatus comprises a document information removing device for sending insignificant data to the receiving apparatus in order to remove the document information that was previously sent to the receiving apparatus. Patterson discloses a document information communicating system (see Fig. 13) comprising a sending apparatus (first device) for sending document information, and a receiving apparatus (second device) for receiving the document information and displaying the received document information (see abstract).

Patterson further teaches that the sending apparatus comprises a document information removing device for sending insignificant data to the receiving apparatus in order to remove the document information that was previously sent to the receiving apparatus (column 24, line 1 through column 26, line 60). Continuing, the insignificant data is a group of blank data (column 24, lines 10 through 23, and column 26, lines 25 through 51). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Patterson's teachings in the system of Rowe. Rowe's system would easily have included Patterson's teachings, as the systems share cumulative features, being additive in nature.

Regarding *claims 14 and 15*, Rowe discloses the system discussed above in claim 1, but fails to particularly teach if receiving apparatus comprises a communication determining device

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for determining whether or not maintaining communication between the sending apparatus and the receiving apparatus is possible, and a removing device for removing the document information that was previously received from the sending apparatus, unless the communication determining device determines that maintaining the communication is possible. Patterson discloses a document information communicating system (see Fig. 13) comprising a sending apparatus (first device) for sending document information, and a receiving apparatus (second device) for receiving the document information and displaying the received document information (see abstract). Patterson further teaches that the receiving apparatus comprises a communication determining device for determining whether or not maintaining communication between the sending apparatus and the receiving apparatus is possible (column 25, lines 12 through 59), and a removing device for removing the document information that was previously received from the sending apparatus, unless the communication determining device determines that maintaining the communication is possible (column 26, lines 2 through 67). Continuing, Patterson teaches that the communication determining device determines whether or not intensity of a communication signal which carries the document information from the sending apparatus to the receiving apparatus is more than a predetermined intensity (column 26, lines 9 through 60). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Patterson's teachings in the system of Rowe. Rowe's system would easily have included Patterson's teachings, as the systems share cumulative features, being additive in nature.

*Allowable Subject Matter*

9. **Claim 21** is allowed.

10. The following is a statement of reasons for the indication of allowable subject matter:

Regarding *claim 21*, in the examiner's opinion, it would not have been obvious to have a system, as claimed, include a sending apparatus comprising a spreading device for spreading the communication signal by using a spreading sequence and a receiving apparatus comprising an inputting device for inputting a password, a spreading sequence generating device for generating the spreading sequence by using the input password, a disspreading device for disspreading the received communication signal by using the spreading sequence and an extracting device for extracting the document information from the disspreading communication signal.

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*Conclusion*

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

J.R.P.

Joseph R. Pokrzywa  
Examiner  
Art Unit 2622

jrj  
May 18, 2003

MARK WALLERSON  
PRIMARY EXAMINER